FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.79 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.Sanjay N.Gawade for the applicant.

Mrs.G.P.Mulekar APP for the State.

Coram : R.S.Mohite,J

Date : 12.4.2006.

PC

1. This is an application for condonation of delay. The delay is of 309 days in filing the revision. State has not filed any reply contesting the facts mentioned in the application. It appears that the Advocate for the applicant was not present in the appellate Court and hence appeal was dismissed for non prosecution. In the interest of justice and since the applicant should not be made to suffer for the lapse of his Advocate, the delay is condoned. Application stands disposed off.

(R.S.Mohite,J)

CRIMINAL REVISION APPLICATION NO.182 OF 2006

1. Heard. Rule. By consent, rule made returnable forthwith. This is a revision application against an order passed by the 1st Adhoc Addl.Sessions Judge, Kalyan dismissing the appeal filed by the applicant for non prosecution. It is seen that the appeal was filed against the conviction in summary case no.665/97 dated 3.6.1997. Applicant had pleaded guilty to offences under Sections 3(1), 181, 122,177, 21(17) & 196 of the Motor Vehicles Act. He was sentenced to suffer 10 days SI and to pay a fine of Rs.1,000/-. The basic allegations against the applicant was he was driving a vehicle without licence and insurance in the vehicle. In my view, in the interest of justice, the sentence may be modified. The accused had pleaded guilty in the trial

Court and hence, conviction is confirmed. By way of sentence, it is directed that the applicant will be liable to pay a fine of Rs.10,000/-, in default to suffer RI for 30 days. The sentence of SI for 10 days and payment of fine of Rs.1000/- is quashed and in its place fine amount of Rs.10,000/- was imposed. Fine amount to be deposited within 2 weeks from today in the trial Court. Rule made absolute in the aforesaid terms.

(R.S.Mohite,J)

BAIL APPLICATION NO.80 OF 2006

1. As the main revision application is decided today, this application does not survive and stands disposed of accordingly.

(R.S.Mohite,J)